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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/662,334

09/16/2003

Yukio Tajima

117192

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7590

04/24/2007

OLIFF & BERRIDGE, PLC

P.O. BOX 19928

ALEXANDRIA, VA 22320

EXAMINER

WEINTROP, ADAM S

ART UNIT

PAPER NUMBER

2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

04/24/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/662,334

Applicant(s)

TAJIMA ET AL.

Examiner

Adam S. Weintrop

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2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kito et al. (US 5,946,464) in view of Cook (US 5,621,892).

Regarding **claim 1**, Kito et al. discloses a service processing apparatus comprising: a storing unit (column 3, lines 14-16, where the memory means can store information pieces) in which are stored (a) instruction data in which are described at least a location of processing document data and a content of plural service processes to be executed on the document data (column 5, lines 26-31 and Figures 16,17, and 18, where the agent definition information contains within it a location of the document to be processed – such as in Figure 17, Item 1080 with the location being “newly-received library”) and (b) a correspondence relation between instruction data that is to be processed when a specific event occurs and the specific event (column 5, lines 26-31, and Figures 16-18, where triggering information is stored with the agent definition information such as in Figure 16, with the instruction data being to “DeleteMail” as seen in Item 0100, and the specific event being “Friday at 23:00” as seen in Items 0070 and 0080); an identifying unit that identifies, when notification that the specific event has

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occurred is given by at least one of plural service processing apparatuses each connected to a network instruction data corresponding to the specific event based on the notification that has occurred on the basis of the correspondence relation (column 2, lines 43-45, and column 7, lines 23-28, where the trigger monitoring unit is seen as the identifying unit since it identifies when a specific event has occurred and informs another unit of the agent definition information associated with the triggering event, and column 2, lines 30-32, with all servers and clients operating on a network); an interpreting unit that interprets the instruction data identified by the identifying unit (column 7, lines 54-67 and column 8, lines 1-4, with the filtering unit seen as the interpreting unit since it reads the information file and checks its coincidence to start the action corresponding to the event); and a cooperative processing unit that makes the plural service processing apparatuses cooperatively execute the plural service processes on the document data on the basis of the interpretation of the instruction data of the interpreting unit (column 8, lines 13-16 and lines 34-35, with the action request processing unit seen as the cooperative processing unit since it received information to begin the action and instructs action operations as specified by the action information). Kito et al. does not disclose that the instruction data includes at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing. The general concept of using a service processing apparatus to propose these sorts of services is well known in the art as illustrated by Cook. Cook describes an event management system in which events, such as alerts or an expiry of a timer, are mapped to services providers. The service providers include facsimile devices or printers,

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among other document and file processes (column 4, line 24-column 5, line 2). Cook's system manages alerts generated by a computer, uses mapping information that describes what service provider is mapped to the alert, and then dispatches the service providers in response to the alert. The system also provides for a memory that stores the request (column 5, lines 58-59), and stores the mapping (column 4, lines 24-27). The event management software in Cook is seen as storing instruction data since it stores the alert request and uses the mapping information to dispatch a service provider. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kito et al. with including at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing in the instruction data as taught by Cook in order to add flexibility, since the addition of the variety of hardware creates a variety of different events that must be managed as seen in Cook's disclosure (column 1, lines 59-67).

Regarding **claims 2, 8, and 14**, Kito et al. and Cook teach the service processing apparatus of claims 1, 7, and 13, and Kito et al. further discloses the apparatus comprising: a setting unit that sets the instruction data and content of the specific event serving as a processing timing of the instruction data (Figure 4, with the Agent Motion Trigger setting the timing of the specific event and the Agent Operation setting the instruction data to be performed); and a generating unit that generates, on the basis of the content of the specific event set by the setting unit, the correspondence relation and instruction data for executing the plural service processes on the document data (Figures 16-18, with the agent information file containing instruction data and the

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triggering event data, and column 6, lines 26-31, where the agent client makes an agent definition information file from the settings of the user), and stores the correspondence relation and the instruction data in the storing unit (column 3, lines 13-16, where each unit may have memory means for storing information pieces).

Regarding **claims 3, 9, and 15**, Kito et al. and Cook teach the service processing apparatus of claims 2, 8, and 14, and Kito et al. further discloses the apparatus comprising an authenticating unit that authenticates a creator of the instruction data (column 9, lines 64-66, where based on the agent identification information, the event request occurs, this is equivalent to authenticating a user to trigger an event since the identification information is checked before every event execution), wherein the generating unit associates information of the creator of the instruction data with the instruction data and stores the information of the creator and the instruction data in the storing unit (column 6, lines 32-45, with the agent identification information stored with the agent definition information).

Regarding **claim 4**, Kito et al. discloses a service processing method comprising: identifying, when notification that a specific event has occurred is given by at least one of plural service processing apparatuses each connected to a network (column 7, lines 41-49, with the trigger monitor unit monitoring for specific events of apparatuses connected to a network as seen and in column 2, lines 53-60, with the trigger unit being a part of any groupware function server and column 2, lines 25-32 with the groupware function servers being connected on a network), instruction data that corresponds to the specific event based on the notification that has occurred and in which are described at

least a location of processing document data and a content of plural service processes to be executed on the document data (column 5, lines 26-31 and Figures 16,17, and 18, where the agent definition information contains within it a location of the document to be processed – such as in Figure 17, Item 1080 with the location being “newly-received library” and column 5, lines 26-31, and Figures 16-18, where triggering information is stored with the agent definition information such as in Figure 16, with the instruction data being to “DeleteMail” as seen in Item 0100, and the specific event being “Friday at 23:00” as seen in Items 0070 and 0080), on the basis of a correspondence relation between the specific event and the instruction data that is to be processed when the specific event occurs (column 2, lines 43-45, and column 7, lines 23-28, where the trigger monitoring unit identifies when a specific event has occurred and informs another unit of the agent definition information associated with the triggering event); interpreting content of the instruction data identified by the identifying step (column 7, lines 54-67 and column 8, lines 1-4, with the filtering unit seen as able to interpret since it reads the information file and checks its coincidence to start the action corresponding to the event); and making the plural service processing apparatuses cooperatively execute the plural service processes on the document data on the basis of the interpreting step (column 8, lines 13-16 and lines 34-35, with the action request processing unit seen as the being able to make the processes execute since it receives information to begin the action and instructs action operations as specified by the action information). Kito et al. does not disclose that the instruction data includes at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing. The general

concept of using a service processing apparatus to propose these sorts of services is well known in the art as illustrated by Cook. Cook describes an event management system in which events, such as alerts or an expiry of a timer, are mapped to services providers. The service providers include facsimile devices or printers, among other document and file processes (column 4, line 24-column 5, line 2). Cook's system manages alerts generated by a computer, uses mapping information that describes what service provider is mapped to the alert, and then dispatches the service providers in response to the alert. The system also provides for a memory that stores the request (column 5, lines 58-59), and stores the mapping (column 4, lines 24-27). The event management software in Cook is seen as storing instruction data since it stores the alert request and uses the mapping information to dispatch a service provider. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kito et al. with including at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing in the instruction data as taught by Cook in order to add flexibility, since the addition of the variety of hardware creates a variety of different events that must be managed as seen in Cook's disclosure (column 1, lines 59-67).

Regarding **claims 5, 11, and 17**, Kito et al. and Cook teach the service processing method of claims 4, 10, and 16, and Kito et al. further discloses the apparatus further comprising: setting the instruction data and content of the specific event serving as a processing timing of the instruction data (Figure 4, with the Agent Motion Trigger setting the timing of the specific event and the Agent Operation setting



the instruction data to be performed); and generating, on the basis of the content of the specific event set by the setting step, the correspondence relation and instruction data for executing the plural service processes on the document data, and storing the correspondence relation and the instruction data in a storing unit (Figures 16-18, with the agent information file containing instruction data and the triggering event data, and column 6, lines 26-31, where the agent client makes an agent definition information file from the settings of the user and column 3, lines 13-16, where each unit may have memory means for storing information pieces).

Regarding **claims 6, 12, and 18**, Kito et al. and Cook teach the service processing method of claims 5, 11, and 17, and Kito et al. discloses the apparatus further comprising authenticating a creator of the instruction data (column 9, lines 64-66, where based on the agent identification information, the event request occurs, this is equivalent to authenticating a user to trigger an event since the identification information is checked before every event execution), wherein information of the creator of the instruction data is associated with the instruction data, and the information of the creator and the instruction data are stored in the storing unit in the generating step (column 6, lines 32-45, with the agent identification information stored with the agent definition information).

Regarding **claim 7**, Kito et al. discloses a service processing apparatus comprising: a storing unit (column 3, lines 14-16, where the memory means can store information pieces) in which are stored (a) instruction data in which are described at least a location of processing document data and a content of plural service processes

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to be executed on the document data (column 5, lines 26-31 and Figures 16,17, and 18, where the agent definition information contains within it a location of the document to be processed – such as in Figure 17, Item 1080 with the location being “newly-received library”) and (b) a correspondence relation between the instruction data that is to be processed when a specific event occurs and the specific event (column 5, lines 26-31, and Figures 16-18, where triggering information is stored with the agent definition information such as in Figure 16, with the instruction data being to “DeleteMail” as seen in Item 0100, and the specific event being “Friday at 23:00” as seen in Items 0070 and 0080); an identifying unit that identifies, when notification that the specific event has occurred is given by at least one of plural service processing apparatuses each connected to a network, the instruction data corresponding to the specific event based on notification that has occurred on the basis of the correspondence relation (column 2, lines 43-45, and column 7, lines 23-28, where the trigger monitoring unit is seen as the identifying unit since it identifies when a specific event has occurred and informs another unit of the agent definition information associated with the triggering event, and column 2, lines 30-32, with all servers and clients operating on a network); and a sending unit that sends the instruction data identified by the identifying unit to a cooperative processing apparatus that cooperatively executes the plural service processes on the document data (column 7, lines 66-67, column 8, lines 1-4, where the result of the filtering is sent to the action request processing unit, and this is seen as equivalent to sending the instruction data to a processing apparatus, and column 8, lines 34-35, where the action operations are executed in response to the action

information). Kito et al. does not disclose that the instruction data includes at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing. The general concept of using a service processing apparatus to propose these sorts of services is well known in the art as illustrated by Cook. Cook describes an event management system in which events, such as alerts or an expiry of a timer, are mapped to services providers. The service providers include facsimile devices or printers, among other document and file processes (column 4, line 24-column 5, line 2). Cook's system manages alerts generated by a computer, uses mapping information that describes what service provider is mapped to the alert, and then dispatches the service providers in response to the alert. The system also provides for a memory that stores the request (column 5, lines 58-59), and stores the mapping (column 4, lines 24-27). The event management software in Cook is seen as storing instruction data since it stores the alert request and uses the mapping information to dispatch a service provider. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kito et al. with including at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing in the instruction data as taught by Cook in order to add flexibility, since the addition of the variety of hardware creates a variety of different events that must be managed as seen in Cook's disclosure (column 1, lines 59-67).

Regarding **claim 10**, Kito et al. discloses a service processing method comprising: identifying, when notification that a specific event has occurred is given by at least one of plural service processing apparatuses each connected to a network

(column 7, lines 41-49, with the trigger monitor unit monitoring for specific events of apparatuses connected to a network as seen and in column 2, lines 53-60, with the trigger unit being a part of any groupware function server and column 2, lines 25-32 with the groupware function servers being connected on a network), instruction data that corresponds to the specific event based on the notification that has occurred and in which are described at least a location of processing document data and a content of plural service processes to be executed on the document data (column 5, lines 26-31 and Figures 16,17, and 18, where the agent definition information contains within it a location of the document to be processed – such as in Figure 17, Item 1080 with the location being “newly-received library” and column 5, lines 26-31, and Figures 16-18, where triggering information is stored with the agent definition information such as in Figure 16, with the instruction data being to “DeleteMail” as seen in Item 0100, and the specific event being “Friday at 23:00” as seen in Items 0070 and 0080), on the basis of a correspondence relation between the specific event and the instruction data that is to be processed when the specific event occurs (column 2, lines 43-45, and column 7, lines 23-28, where the trigger monitoring unit identifies when a specific event has occurred and informs another unit of the agent definition information associated with the triggering event); sending the identified instruction data to a cooperative processing apparatus that cooperatively executes the plural service processes on the document data (column 7, lines 66-67, column 8, lines 1-4, where the result of the filtering is sent to the action request processing unit, and this is seen as equivalent to sending the instruction data to a processing apparatus, and column 8, lines 34-35, where the action

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operations are executed in response to the action information). Kito et al. does not disclose that the instruction data includes at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing. The general concept of using a service processing apparatus to propose these sorts of services is well known in the art as illustrated by Cook. Cook describes an event management system in which events, such as alerts or an expiry of a timer, are mapped to services providers. The service providers include facsimile devices or printers, among other document and file processes (column 4, line 24-column 5, line 2). Cook's system manages alerts generated by a computer, uses mapping information that describes what service provider is mapped to the alert, and then dispatches the service providers in response to the alert. The system also provides for a memory that stores the request (column 5, lines 58-59), and stores the mapping (column 4, lines 24-27). The event management software in Cook is seen as storing instruction data since it stores the alert request and uses the mapping information to dispatch a service provider. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kito et al. with including at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing in the instruction data as taught by Cook in order to add flexibility, since the addition of the variety of hardware creates a variety of different events that must be managed as seen in Cook's disclosure (column 1, lines 59-67).

Regarding **claim 13**, Kito et al. discloses a service processing apparatus comprising: a storing unit (column 3, lines 14-16, where the memory means can store information pieces) in which are stored (a) instruction data in which are described at

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least a location of processing document data and a content of plural service processes to be executed on the document data (column 5, lines 26-31 and Figures 16,17, and 18, where the agent definition information contains within it a location of the document to be processed – such as in Figure 17, Item 1080 with the location being “newly-received library”) and (b) a correspondence relation between the instruction data that is to be processed when a specific event occurs and the specific event (column 5, lines 26-31, and Figures 16-18, where triggering information is stored with the agent definition information such as in Figure 16, with the instruction data being to “DeleteMail” as seen in Item 0100, and the specific event being “Friday at 23:00” as seen in Items 0070 and 0080); an identifying unit that identifies, when notification that the specific event has occurred is given by at least one of plural service processing apparatuses each connected to a network, the instruction data corresponding to the specific event based on the notification that has occurred on the basis of the correspondence relation (column 2, lines 43-45, and column 7, lines 23-28, where the trigger monitoring unit is seen as the identifying unit since it identifies when a specific event has occurred and informs another unit of the agent definition information associated with the triggering event, and column 2, lines 30-32, with all servers and clients operating on a network); and a sending unit that sends the instruction data identified by the identifying unit to another service processing apparatus that conducts a service process on the document data described in the instruction data (column 8, lines 24-35, where the result of the filtering is sent to the action request processing unit and then that activates other processing units, such as the mail processing unit to a process a service on the data

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from the action information). Kito et al. does not disclose that the instruction data includes at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing. The general concept of using a service processing apparatus to propose these sorts of services is well known in the art as illustrated by Cook. Cook describes an event management system in which events, such as alerts or an expiry of a timer, are mapped to services providers. The service providers include facsimile devices or printers, among other document and file processes (column 4, line 24-column 5, line 2). Cook's system manages alerts generated by a computer, uses mapping information that describes what service provider is mapped to the alert, and then dispatches the service providers in response to the alert. The system also provides for a memory that stores the request (column 5, lines 58-59), and stores the mapping (column 4, lines 24-27). The event management software in Cook is seen as storing instruction data since it stores the alert request and uses the mapping information to dispatch a service provider. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kito et al. with including at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing in the instruction data as taught by Cook in order to add flexibility, since the addition of the variety of hardware creates a variety of different events that must be managed as seen in Cook's disclosure (column 1, lines 59-67).

Regarding **claim 16**, Kito et al. discloses a service processing method comprising: identifying, when notification that a specific event has occurred is given by at least one of plural service processing apparatuses each connected to a network

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(column 7, lines 41-49, with the trigger monitor unit monitoring for specific events of apparatuses connected to a network as seen and in column 2, lines 53-60, with the trigger unit being a part of any groupware function server and column 2, lines 25-32 with the groupware function servers being connected on a network), instruction data that corresponds to the specific event based on the notification that has occurred and in which are described at least a location of processing document data and a content of plural service processes to be executed on the document data (column 5, lines 26-31 and Figures 16,17, and 18, where the agent definition information contains within it a location of the document to be processed – such as in Figure 17, Item 1080 with the location being “newly-received library” and column 5, lines 26-31, and Figures 16-18, where triggering information is stored with the agent definition information such as in Figure 16, with the instruction data being to “DeleteMail” as seen in Item 0100, and the specific event being “Friday at 23:00” as seen in Items 0070 and 0080), on the basis of a correspondence relation between the specific event and the instruction data that is to be processed when the specific event occurs (column 2, lines 43-45, and column 7, lines 23-28, where the trigger monitoring unit identifies when a specific event has occurred and informs another unit of the agent definition information associated with the triggering event); and sending the instruction data identified by the identifying step to another service processing apparatus that conducts a service process on the document data described in the instruction data (column 8, lines 24-35, where the result of the filtering is sent to the action request processing unit and then that activates other processing units, such as the mail processing unit to a process a service on the data



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from the action information). Kito et al. does not disclose that the instruction data includes at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing. The general concept of using a service processing apparatus to propose these sorts of services is well known in the art as illustrated by Cook. Cook describes an event management system in which events, such as alerts or an expiry of a timer, are mapped to services providers. The service providers include facsimile devices or printers, among other document and file processes (column 4, line 24-column 5, line 2). Cook's system manages alerts generated by a computer, uses mapping information that describes what service provider is mapped to the alert, and then dispatches the service providers in response to the alert. The system also provides for a memory that stores the request (column 5, lines 58-59), and stores the mapping (column 4, lines 24-27). The event management software in Cook is seen as storing instruction data since it stores the alert request and uses the mapping information to dispatch a service provider. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kito et al. with including at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing in the instruction data as taught by Cook in order to add flexibility, since the addition of the variety of hardware creates a variety of different events that must be managed as seen in Cook's disclosure (column 1, lines 59-67).

Regarding **claim 19**, Kito et al. and Cook teach the service processing apparatus of claim 1, and Kito et al. further discloses the apparatus wherein the specific event is reception of document data from outside (column 10, lines 11-26, where the event can

be a new document added to a new library binder and this is seen as equivalent to new data reception from the outside).

Regarding **claim 20**, Kito et al. and Cook teach the service processing apparatus of claim 1, and Kito et al. further discloses the apparatus wherein the specific event is arrival of a predetermined time (column 9, lines 49-55, where the trigger information is set as a specific time such as 23:00).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Summary of Arguments***

1. Applicant argues that the amendments to the claims will overcome claim objections made in first Office Action.

2. Applicant argues that the amendments to the claims, which are more clearly directed towards statutory subject matter, will overcome the rejection under 35 U.S.C 101.

3. Applicant argues that the amendments to the claims overcome the rejection of 35 U.S.C. 102(b) under Kito et al. since Kito et al. fails to teach instruction data including at least one of copying, printing, scanning, sending facsimiles, receiving facsimiles and image processing.

*Response to Arguments*

1. The amendments to the claims have overcome the claim objections made in the first Office Action.

2. The amendments to the claims have overcome the rejection under 35 U.S.C. 101 by more clearly directing the claims to statutory subject matter.

3. The amendments to the claims have overcome the rejection under 35 U.S.C. 102(b) under Kito et al., however the argument is moot in view of the new grounds of rejection under 35 U.S.C. 103(a) under Kito et al. in view of Cook. The prior art reference Cook establishes a prima facie case of obviousness to one of ordinary skill in the art at the time of invention as it suggest the claimed invention when combined with Kito et al.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam S. Weintrop whose telephone number is 571-270-1604. The examiner can normally be reached on Monday through Friday 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Jules can be reached on 571-272-6681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AW 4/11/07

FRANTZ JULES  
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to read 'Frantz', with a stylized flourish at the end.

